

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Administrative Session
July 11, 1999 – 9:00 a.m.
915 Emmet Street – Petoskey, Michigan 49770

Closed Session : No

Called to Order : Meeting was called to order at 9:55 a.m.

Council Present : Chairman Frank Ettawageshik, Treasurer Rita Shananaquet, Councilor Alice Yellowbank, Councilor George Anthony and Councilor Dorothy Gasco

Council Absent : Secretary Barry Laughlin and Vice-Chair Shirley Oldman

Staff Present : See attached list

Guests : See attached list

Election Issues: Chairman Ettawageshik gave an in-depth explanation of the Election Statute. The Election Board will not certify the election until the twelfth (12th) of July, 1999. The swearing in of new Council members will take place at the July 25, 1999 Tribal Council meeting.

Motion made by **Councilor Anthony** and **Supported** by **Councilor Gasco** to adopt the Agenda as presented and amended.

Vote: 5 Yes 0 No 0 Abstained 2 Absent (**Councilors Laughlin/Oldman**)

Motion Carried

Public Comment: Opened at 10:25 a.m. No comment at this time.

Public Comment: Closed at 10:26 a.m.

Gaming Update: Marilyn Williams, Gaming Administration Chairperson (by conference call), Frank Shunock, Rick Weiner and Chairman Ettawageshik updated Tribal Council of the issues at the casino.

Council Arrives: Secretary Laughlin arrives at 10:55 a.m.

Motion made by **Councilor Anthony** and **Supported** by **Councilor Yellowbank** to approve the Tribal Council Minutes of June 27, 1999 with corrections.

Vote: 6 Yes 0 No 0 Abstained 1 Absent (**Councilor Oldman**)

Motion Carried

LTBB Minutes of Tribal Council Mtg. 7/11/99/Draft

Introduction of Staff:

Law Enforcement – Roger Marsh and Robert Olds

Natural Resources – Debra Smithkey-Browne

Archives & Records – Yvonne Keshick

1 NAGPRA – Joe Mitchell

2
3 **Council Arrives:** Councilor Oldman arrives.

4
5 **Recess:** Called at 12:30 p.m. with meeting reconvening at 2:09 p.m.

6
7 **Motion** made by **Councilor Laughlin** and **Supported** by **Councilor Anthony** to
8 adopt the telephone poll dated June 22, 1999, authorizing the Gaming
9 Administration to obtain an electronic copy (disk) of Tribal Membership names
10 and address of members 21 years of age and older.

11 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

12 **Motion Carried**

13
14 **Motion** made by **Councilor Laughlin** and **Supported** by **Councilor Gasco** to
15 adopt telephone poll dated June 01, 1999 approving the Odawa Trails June 1999
16 edition.

17 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

18 **Motion Carried**

19
20 **Motion** made by **Councilor Laughlin** and **Supported** by **Councilor**
21 **Yellowbank** to adopt the telephone poll dated June 21, 1999, appointing Frank
22 Ettawageshik for a three (3) year term, Gerald Chingwa for a two (2) year term,
23 and Wesley Andrews for a one (1) year term to the Odawa Property Managers
24 Commission.

25 **Vote:** 6 Yes 0 No 1 Abstained (**Chairman Ettawageshik**) 0 Absent

26 **Motion Carried**

27
28 **Motion** made by **Councilor Yellowbank** and **Supported** by **Councilor**
29 **Laughlin** to adopt the telephone poll dated June 21, 1999, authorizing the Tribal
30 Chairman to sign the Pre-Trust Mortgage and Pre-Trust Promissory Note for
31 Victories and the Escrow Agreement with Northern Michigan Title Company.
32 Also to authorize the Tribal Chairman to sign the agreement by and among
33 National City Bank and NORAM VII (7), Little Traverse Bay Bands Tribal Council
34 and Little Traverse Bay Bands Gaming Administration regarding NORAM loans.

35 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

36 **Motion Carried**

37
38 LTBB Minutes of Tribal Council Mtg. 7/11/99/Draft

39
40 **Motion** made by **Councilor Laughlin** and **Supported** by **Councilor Oldman** to
41 adopt the telephone poll dated June 21, 1999, authorizing the LTBB Legal
42 Counsel to advise the Federal District Court for Western Michigan, in US v. MI,
43 that LTBB will agree to be bound by the consent decree entered on May 21, 1985
44 in U.S. v Michigan for the duration of said decree which expires at midnight on
45 May 31, 2000, on the advice of Attorney Marianna Shulstad and concurrence of
46 the LTBB Natural Resources Commission.

47 **Vote:** 6 Yes 1 No 0 Abstained 0 Absent

1 **Motion Carried**

2
3 **Motion** made by **Councilor Gasco** and **Supported** by **Councilor Oldman** to
4 adopt the telephone poll dated June 28, 1999, authorizing submission of a Grant
5 Application to the Department of Justice – Office of Juvenile and Delinquency
6 Prevention for Tribal Youth Program Funds.

7 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

8 **Motion Carried**

9
10 **Motion** made by **Councilor Yellowbank** and **Supported** by **Councilor Anthony**
11 to adopt the telephone poll dated July 02, 1999, which authorizes the Tribal
12 Chairman to sign the Letter of Understanding between the State of Michigan and
13 Little Traverse Bay Bands of Odawa Indians in reference to opening of the
14 Victories Entertainment Center.

15 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

16 **Motion Carried**

17
18 **Motion** made by **Councilor Laughlin** and **Supported** by **Councilor Gasco** to
19 adopt the telephone poll dated July 29, 1999 approving **Resolution #062999-01**
20 authorizing the Tribal Chairman to sign the deed for the Victories Entertainment
21 Center, to place the land in trust for the Tribe.

22 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

23 **Motion Carried**

24
25 **Motion** made by **Councilor Yellowbank** and **Supported** by **Councilor Oldman**
26 to approve the revised budget for the Middle Village Park Management
27 Committee, and to authorize \$6,687.00 to be paid from the Development Account
28 for the Tribe's share of the budget.

29 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

30 **Motion Carried**

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36 LTBB Minutes of Tribal Council Mtg. 7/11/99/Draft

37
38 **Motion** made by **Councilor Anthony** and **Supported** by **Councilor Oldman** to
39 adopt **Resolution #071199-01** in support of the Little River Band's NAGPRA
40 claim, Battle Point site.

41 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

42 **Motion Carried**

43
44 **Motion** made by **Councilor Shananaquet** and **Supported** by **Councilor**
45 **Laughlin** to approve and authorize payment of bills for Plante & Moran submitted
46 at the July 11, 1999 Tribal Council meeting.

47 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

1 **Motion Carried**

2
3 **Recess:** Called at 4:36 p.m. with meeting reconvening at 4:50 p.m.

4
5 **Motion** made by **Councilor Anthony** and **Supported** by **Councilor Oldman** to
6 adopt **Resolution #071199-02** in support of Federal Acknowledgment of the
7 Grand River Band of Ottawa Indians.

8 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

9 **Motion Carried**

10
11 **Motion** made by **Councilor Shananaquet** and **Supported** by **Councilor**
12 **Anthony** to approve the request for a cellular telephone and pager for the
13 Maternal Child Health Program.

14 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

15 **Motion Carried**

16
17 **Motion** made by **Councilor Oldman** and **Supported** by **Councilor Yellowbank**
18 to approve the request for a cellular telephone for the Substance Abuse
19 Department – Helping Hands Program.

20 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

21 **Motion Carried**

22
23 **Motion** made by **Councilor Shananaquet** and **Supported** by **Councilor**
24 **Yellowbank** to approve Indian Health Services Budget Modification #2 for FY'99.

25 **Vote:** 5 Yes 1 No (**Councilor Laughlin**) 0 Abstained 1 Absent (**Councilor**
26 **Oldman**)

27 **Motion Carried**

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31 LTBB Minutes of Tribal Council Mtg. 7/11/99/Draft

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34 **Motion** made by **Councilor Gasco** and **Supported** by **Councilor Shananaquet**
35 to approve the contract between the LTBB Health Department and 'Curves for
36 Women' program.

37 **Vote:** 6 Yes 1 No (**Councilor Laughlin**) 0 Abstained 0 Absent

38 **Motion Carried**

39
40 **Council Leaves:** Councilor Shananaquet departs at 5:55 p.m.

41
42 **Motion** made by **Councilor Oldman** and **Supported** by **Councilor Yellowbank**
43 to authorize \$2,000.00 from the Development Account for the September
44 Traditional Pow-Wow.

45 **Vote:** 6 Yes 0 No 0 Abstained 1 Absent (**Councilor Shananaquet**)

46 **Motion Carried**

1 **Motion** made by **Councilor Oldman** and **Supported** by **Councilor Laughlin** to
2 set up a new bank account to handle incoming donations to the Tribe.

3 **Vote:** 6 Yes 0 No 0 Abstained 1 Absent (**Councilor Shananaquet**)

4 **Motion Carried**

5
6 **Motion** made by **Councilor Anthony** and **Supported** by **Councilor Oldman** to
7 adopt **Resolution #071199-03** authorizing Special Counsel Contract between
8 LTBB and Gregory G. Justis, Attorney at Law.

9 **Vote:** 6 Yes 0 No 0 Abstained 1 Absent (**Councilor Shananaquet**)

10 **Motion Carried**

11
12 **Motion** made by **Councilor Oldman** and **Supported** by **Councilor Anthony** to
13 authorize the Accounting Department to set up a Special Fund in the amount of
14 \$4,200.00 for the production and publication of a Tribal Directory. The funds are
15 to be appropriated out of the Development Account, pending availability.

16 **Vote:** 6 Yes 0 No 0 Abstained 1 Absent (**Councilor Shananaquet**)

17 **Motion Carried**

18
19 **Motion** made by **Councilor Oldman** and **Supported** by **Councilor Gasco** to
20 approve **Resolution #071199-04** designating Gerald Chingwa, Chairman Elect,
21 as the delegate and Councilor Alice Yellowbank as the alternate, to represent
22 LTBB at the National Congress of American Indians.

23 **Vote:** 6 Yes 0 No 0 Abstained 1 Absent (**Councilor Shananaquet**)

24 **Motion Carried**

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28 LTBB Minutes of Tribal Council Mtg. 7/11/99/Draft

29
30 **Motion** made by **Councilor Laughlin** to contract with Ameritech to provide voice
31 mail service for tribal offices.

32 **Motion Dies/Lack of Support**

33
34 **Motion** made by **Councilor Anthony** and **Supported** by **Councilor Gasco** to
35 adopt **Resolution #071199-05** to withdraw the Management Agreement from the
36 National Indian Gaming Commission.

37 **Vote:** 6 Yes 0 No 0 Abstained 1 Absent (**Councilor Shananaquet**)

38 **Motion Carried**

39
40 **Motion** made by **Councilor Gasco** and **Supported** by **Councilor Laughlin** to
41 place the Tribal Employment Rights Office (TERO) on the Legislative Calendar
42 for July 25, 1999.

43 **Vote:** 6 Yes 0 No 0 Abstained 1 Absent (**Councilor Shananaquet**)

44 **Motion Carried**

45
46 **Motion** made by **Councilor Gasco** and **Supported** by **Councilor Oldman** to
47 place the Trust Fund Board Statute on the Legislative Calendar for July 25, 1999.

1 **Vote: 5 Yes 1 No (Councilor Laughlin) 0 Abstained 1 Absent**
2 **(Councilor Shananaquet)**
3 **Motion Carried**

4
5 **Motion** made by **Councilor Gasco** and **Supported** by **Councilor Oldman** to
6 adopt **Resolution #071199-06** authorizing the Tribal Chairman to sign the
7 contract with the Family Independence Agency.

8 **Vote: 5 Yes 1 No (Councilor Laughlin) 0 Abstained 1 Absent**
9 **(Councilor Shananaquet)**
10 **Motion Carried**

11
12 **Motion** made by **Councilor Laughlin** and **Supported** by **Councilor Anthony** to
13 authorize the Tribal Chairman to sign the agreement between NORAM and the
14 LTBB Tribal Council for an interest free loan for wages at the Victories Casino
15 during shut down.

16 **Vote: 6 Yes 0 No 0 Abstained 1 Absent (Councilor Shananaquet)**
17 **Motion Carried**

18
19 **Motion** made by **Councilor Gasco** and **Supported** by **Councilor Anthony** to
20 Adjourn the Administrative Session of the Tribal Council for July 11, 1999 at 7:51
21 p.m.

22 **Vote: 6 Yes 0 No 0 Abstained 1 Absent (Councilor Shananaquet)**
23 **Motion Carried**

24
25 LTBB Minutes of Tribal Council Mtg. 7/11/99/Draft

26 **These Minutes have been read and approved as written :**

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33 _____
34 Tribal Council Secretary

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Date

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